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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,346	10/10/2003	Keun Ho Chun	58248-CIP2 (47606)	9221
7590		07/12/2007		
JHK Law				
P. O. Box 1078				
La Canada, CA 91012-1078				
			EXAMINER	
			SALMON, KATHERINE D	
			ART UNIT	PAPER NUMBER
			1634	
			MAIL DATE	DELIVERY MODE
			07/12/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10684346	10/10/2003	CHUN ET AL.	58248-CIP2 (47606)

JHK Law  
P. O. Box 1078  
La Canada, CA 91012-1078

## EXAMINER

Katherine Salmon

ART UNIT	PAPER
1634	20070621

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

## Commissioner for Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotides and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth below or on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

The reply filed on 4/23/2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The CRF is defective, please see the Notice to Comply attached to this form. Specifically as detailed in the Defective CRF form, the "Xaa" are not explained and the mammalian response is invalid. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine Salmon whose telephone number is (571) 272-3316. The examiner can normally be reached on Monday-Friday 8AM-430PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ram Shukla can be reached on (571) 272-0735. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*J. Goldberg*  
**JEANINE A. GOLDBERG**  
**PRIMARY EXAMINER**  
*6/26/07*

Katherine Salmon  
Examiner  
Art Unit 1634

<b>Notice to Comply</b>	<b>Application No.</b> 10/684346	<b>Applicant(s)</b> Chun et al.	
	<b>Examiner</b> Katherine Salmon	<b>Art Unit</b> 1634	

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e). The correct SEQ ID NO:2 is present in the paper copy of the of the sequence listing only. Therefore a search of the correct sequence is not possible.
- ☐ 7. Other:

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.**
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216 or (703) 308-2923  
 For CRF Submission Help, call (703) 308-4212 or 308-2923  
 PatentIn Software Program Support  
     Technical Assistance.....703-287-0200  
     To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**

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Sequence Listing could not be accepted.

If you need help call the Patent Electronic Business Center at (866)  
217-9197 (toll free).

Reviewer: Anne Corrigan

Timestamp: Wed Jun 06 19:41:05 EDT 2007

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Reviewer Comments:

<210> 44  
<211> 4  
<212> PRT  
<213> mammalian  
<220>  
<221> MISC\_FEATURE  
<222> (1)..(4)  
<223> Caspase-3 cleavage site  
<400> 44

Asp Xaa Xaa Asp

1

The above Xaa's are not explained; per 1.823 of the Sequence Rules, it is mandatory to explain all Xaa's (and n's, in a nucleotide sequence). Please indicate the Xaa locations on the <222> line, and indicate which amino acid residue(s) each Xaa represents on the <223> line. This error appears in subsequent sequences, too (e.g., 50-52, 54-55, etc.).

Also, the <213> mammalian response is invalid. Per 1.823 of the Sequence Rules, indicate Genus/species. This error appears throughout the sequence listing (e.g., Sequence 24, and many other sequences).

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